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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/843,718	04/30/2001	Juha-Pekka Sipponen	017.39011X00	9439

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EXAMINER
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HAQ, NAEEM U

ART UNIT	PAPER NUMBER
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3625

DATE MAILED: 06/03/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

09/843,718

Applicant(s)

SIPPONEN, JUHA-PEKKA

Examiner

Naeem Haq

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 01 February 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 18-119 is/are pending in the application.
- 4a) Of the above claim(s) See Continuation Sheet is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 18-20,31,33,54,56,66,67,69-71,82,84,105,107 and 116 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |                                                                                         |                                                                             |
|-----------------------------------------------------------------------------------------|-----------------------------------------------------------------------------|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)             | 4) <input type="checkbox"/> Interview Summary (PTO-413)                     |
| 2) <input type="checkbox"/> Notice of Draftperson's Patent Drawing Review (PTO-948)     | Paper No(s)/Mail Date. _____                                                |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____                                                             | 6) <input type="checkbox"/> Other: _____                                    |

Continuation of Disposition of Claims: Claims withdrawn from consideration are 21-30,32,34-53,55,57-65,68,72-81,83,85-104,106,108-115, and 117-119.

## **DETAILED ACTION**

### ***Election/Restrictions***

Applicant's election of Group I and species of claims 31, 54, 82, and 105 in the reply filed on February 1, 2005 is acknowledged. Because Applicant did not distinctly and specifically point out the supposed errors in the restriction requirement, the election has been treated as an election without traverse (MPEP § 818.03(a)).

Claims 1-17 have been canceled. Currently claims 18-20, 31, 33, 54, 56, 66, 67, 69-71, 82, 84, 105, 107, and 116 will be examined. All other claims are hereby withdrawn from consideration.

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

**Claims 18-20, 33, 56, 66, 67, 69-71, 84, 107, and 116 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lapstun et al. (US 6,728,000 B1) hereinafter referred to as Lapstun.**

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Referring to claims 18-20, 33, 56, 66, 67, 69-71, 84, 107, and 116, Lapstun teaches a method of electronically purchasing tickets comprising: using a portable trusted terminal of a user which is in wireless communication with a server of a provider of the tickets (column 2, line 62 – column 3, line 5; column 4, lines 17-22; column 34, lines 40-45); using the portable trusted terminal to communicate with the server which verifies a purchase and the authenticity of the user (column 15, lines 58-63; column 35, lines 24-56); saving in memory information regarding the purchase from which the purchased ticket is printed by an authorized printing device with authorization being determined by the server of the provider (column 2, lines 48-51; column 15, lines 58-63; column 33, lines 22-40). Lapstun does not explicitly state that the user is a purchaser or that the user selects a ticket to be purchased. However, Lapstun discloses that his invention delivers secure documents such as tickets (column 34, lines 40-45), facilitates purchase transactions (column 21, lines 17-22; column 28, lines 15-18) and processes payment (column 36, lines 10-17). Therefore it would have been obvious to one of ordinary skill in the art, at the time the invention was made, to have the user select a ticket to be purchased in the invention of Lapstun. One of ordinary skill in the art would have been motivated to do so in order to facilitate a purchase transaction as taught by Lapstun. Lapstun also does not explicitly state signing with the server a contract representing purchase of the ticket by the purchaser. However, the Examiner notes that a contract is nothing more an agreement between two or more parties to do or not to do something. In the present case, Lapstun teaches that two parties agree to an online

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transaction using a digital signature (column 32, line 29 – column 33, line 21; column 35, lines 24-56). Therefore this limitation is inherent in the method of Kay.

**Claims 31, 54, 82, and 105 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lapstun et al. (US 6,728,000 B1) hereinafter referred to as Lapstun in view of Official Notice.**

Lapstun does not teach that the printer, after printing the purchased ticket, acknowledges the printing of the ticket to the server of the provider of the tickets. However, Official Notice is taken that it is old and well known in the art to for a printer to acknowledge the printing of a document to a server. Therefore it would have been obvious to one of ordinary skill in the art, at the time the invention was made, to incorporate this feature into the invention of Lapstun. One of ordinary skill in the art would have been motivated to do so in order to allow the server to free up the memory resources that had been reserved for the print job.

### ***Conclusion***

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not

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mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

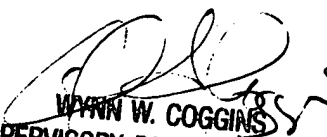
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Naeem Haq whose telephone number is (571)-272-6758. The examiner can normally be reached on M-F 8:00am-5:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Wynn W. Coggins can be reached on (571)-272-7159. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Naeem Haq, Patent Examiner  
Art Unit 3625

  
WYNN W. COGGINS  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 3600

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May 25, 2005